

be held. Senator CARDIN said: Let us have a debate. I am for that. And let's put it in the Rules Committee, where it should be debated first.

To review, the Citizens United decision does not unpend a hundred years of law and precedent. The DISCLOSE Act has intentional loopholes in title II and title III to keep special interest dollars on behalf of the majority flowing, and the rest of the bill is a confusing set of redundant regulations. The bill's sponsors are rushing this legislation to the floor without consideration by the Rules Committee—again, here we go; that is what happened with health care; that is what happened with the Dodd-Frank bill—in order to protect the incumbent majority before the fall elections.

Under the first amendment, the American people have a right to speak out against policies and legislators who kill jobs, curb growth, and expand the government at the expense of the private sector—and now a proposed tax increase. These policies hurt millions and millions of Americans employed in the private sector and millions more looking for work during a recession. They must be protected under the first amendment. The people have a right to be heard.

Mr. President, I yield back.

Mr. SCHUMER. Mr. President, I yield 5 minutes to the senior Senator from the State of Washington, who has been a leading advocate for the voice of average Americans in government.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mrs. MURRAY. Mr. President, I come to the floor today to speak in strong support of the DISCLOSE Act, to close the glaring campaign finance loopholes that were opened by the Citizens United ruling.

This Supreme Court ruling was a true step backward for this democracy. It overturned decades of campaign finance law and policy. It allowed corporations and special interest groups to spend unlimited amounts of their money influencing our democracy. And it opens the door wide for foreign corporations to spend their money on elections right here in the United States.

The Citizens United ruling has given special interest groups a megaphone they can use to drown out the voices of average citizens in my home State of Washington and across the country. The DISCLOSE Act we are considering will tear that megaphone away and place it back into the hands of the American people, where it belongs.

This is a very personal issue for me. When I first ran for the Senate back in 1992, I was a long-shot candidate with some ideas and a group of amazing and passionate volunteers by my side. Those volunteers cared deeply about making sure the voices of average Washington State families were represented here in the Senate. They made phone calls. They went door to door. They talked to families across our State who wanted more from their government.

Well, we ended up winning that grassroots campaign because the people's voices were heard loudly and clearly. But to be honest, I do not think it would have been possible if corporations and special interests had been able to drown out their voices with an unlimited barrage of negative ads against candidates who did not support their interests. That is why I so strongly support this DISCLOSE Act. I want to make sure no force is greater in our elections than the power of voters across our cities and towns. And no voice is louder than citizens who care about making their State and country a better place to live. This DISCLOSE Act helps preserve that American value. It shines a bright spotlight on the entire process.

What the DISCLOSE Act will do will make corporate CEOs and special interest leaders take responsibility for their ads. When candidates put campaign commercials up on television—you have seen them—we put our faces on the ad and tell every voter we approve the message. We do not hide what we are doing. But right now, because of this Supreme Court decision, corporations and special interest groups do not have to do that. They can put up deceptive, untruthful ads with no accountability and no ability for people to know who is trying to influence them.

The DISCLOSE Act strengthens overall disclosure requirements for groups that are attempting to sway our elections. Too often, corporations and special interest groups are able to hide behind their spending because of a mask of front organizations because they know voters would be less likely to believe the ads if they knew what the motives of the sponsors were. The DISCLOSE Act ends that. It shines a light on the spending and makes sure voters have the information they need so they know whom they can trust.

This bill also closes a number of other loopholes opened by the Citizens United decision. It bans foreign corporations and special interest groups from spending in U.S. elections. It makes sure corporations are not hiding their election spending from their shareholders. It limits election spending by government contractors to make sure taxpayer funding is never used to influence an election. And it bans coordination between candidates and outside groups on advertising, so corporations and special interest groups can never “sponsor” a candidate.

This DISCLOSE Act is a common-sense bill that should not be controversial. Anyone who thinks voters should have a louder voice than special interest groups ought to vote for this bill. Anyone who thinks foreign entities should have no right to influence U.S. elections should support this bill. Anybody who agrees with Justice Brandeis that “sunlight is the best disinfectant” ought to support this bill. And anyone who thinks we should not allow cor-

porations such as BP or Goldman Sachs to spend unlimited money influencing our elections ought to support this bill.

Every 2 years, we have elections across this country to fill our federally elected offices. Every 2 years, voters have the opportunity to talk to each other about who they think will represent their communities best. And every 2 years, it is these voices of America's citizens that decide who gets to stand right here representing them in the Congress. That is the basis of our democracy, and it is exactly what this DISCLOSE Act aims to protect. So I am proud to support this bill, and I urge all of our colleagues to move forward on this bill on the floor.

The PRESIDING OFFICER. The Senator's time has expired.

Mrs. MURRAY. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. KYL. Mr. President, first of all, I wish to thank the Republican leader, Senator MCCONNELL, for his expertise and leadership on this issue. Secondly, as several of my colleagues have pointed out, the DISCLOSE Act is a direct assault on the first amendment right to free speech. Protecting political speech, guaranteed by the Bill of Rights, is one of our most sacred responsibilities.

This is a partisan bill drafted behind closed doors by current and former Democratic campaign committee leaders. It is obviously written to disadvantage Republicans and favor special interests supportive of Democrats. The closed-door process under which the DISCLOSE Act was written contradicts its supporters' professed goal of transparency. It is a partisan rewrite of campaign finance laws without hearings, without testimony, without studies, without a markup—again, written behind closed doors with the help of lobbyists and special interests.

The problems it purports to address are purely hypothetical since there have been no elections since the Citizens United case. I have seen no evidence of any abuse in the current election cycle. This legislation is an attempt to change the rules to protect incumbent candidates from criticism of unpopular decisions and positions. I know none of us like to be criticized, but we must uphold the right of others to criticize us.

Even those of us who opposed the Bipartisan Campaign Reform Act—BCRA but also known by the name McCain-Feingold—recognize that its authors sought to avoid any partisan advantage. The new rules then applied to everyone, and they only applied after the subsequent election. The same cannot be said for the DISCLOSE Act. It is 117 pages in which the bill's authors pick winners and losers, either through outright prohibitions or restrictions that are so complex they achieve the same result. The effort is too political, benefiting traditional Democratic allies,